

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

HARPER HOLDINGS, LLC,	:	
	:	Case No.
<i>Plaintiff,</i>	:	
 vs.	:	JUDGE
 DAVID CHRISTIANSON ,	:	
 <i>Defendant.</i>	:	

PETITION FOR REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, David Christianson (“Christianson”), by and through undersigned counsel, hereby gives notice of removal of an action from the Court of Common Pleas of Franklin County, Ohio to the United States District Court, Southern District of Ohio, Eastern Division, that being Franklin County Common Pleas Case No. 22 CV 005156. In support of this Petition for Removal of Harper Holdings, LLC’s state court action, Christianson states as follows:

1. On or about July 26, 2022, Harper Holdings, LLC (“HH”) filed a Complaint in the Court of Common Pleas of Franklin County, Ohio, Case No. 22 CV 005156, against Christianson, seeking to “vacate, modify, or correct an arbitration award” and to “confirm the award of injunctive relief” against Christianson. A true and correct copy of HH’s Franklin County Court Complaint is attached hereto as Exhibit A.

2. Said Complaint contains virtually identical subject matter to Christianson’s Complaint and application to this Court to confirm the Arbitration Award between the parties hereto already filed with this Court. (See *David Christianson v. Harper Holdings, LLC*, Case No.

2:22-cv-02991). A copy of Christianson's Complaint and Petition that has already been filed with this Court under that separate case number is attached hereto as Exhibit B.

3. At the commencement of HH's Franklin County Court action, HH was and is a resident of Ohio, having its principal place of business at 40 West Gay Street, Columbus, Ohio, 43215. See HH's Articles of Incorporation attached hereto as Exhibit C.

4. At the time of the commencement of HH's Franklin County Court action, Christianson was and is a citizen of the State of Wisconsin.

5. In light of the foregoing, there is complete diversity of citizenship between Christianson and HH.

6. In its state court filing, HH sets forth a variety of allegations concerning the validity of the Arbitration Award that has been recached by a duly empaneled three-member Arbitration Panel that included Columbus, Ohio attorneys Sarah Cole, Jeffrey Hutson, and Peter Welin. See Exhibit D, Appointments of Cole, Hutson, and Welin, respectively.

7. HH's state court action is properly removable to this Court. In particular, this Court has original jurisdiction over this case pursuant to 28 U.S.C. § 1332 because (1) there is complete diversity of citizenship between the parties and (2) the amount in controversy exceeds \$75,000, exclusive of costs and interest.

8. Pursuant to 28 U.S.C. § 1446(b), this Petition for Removal is timely filed within thirty (30) days after HH's initial state court filing. This Petition for Removal is also filed within the absolute one-year time period imposed by 28 U.S.C. § 1446(b).

9. As required by 28 U.S.C. § 1446(a), attached hereto as Exhibit E are copies of all of the process, pleadings, and orders heretofore filed in the state court action initiated by HH.

10. Pursuant to 28 U.S.C. § 1446(d), copies of this Petition for Removal are today being served upon adverse parties, mailed to the Clerk of the Court of Common Pleas of Franklin County, Ohio, and filed with the Clerk of Court of the United States District Court, Southern District of Ohio, Eastern Division.

WHEREFORE, Plaintiff Christianson prays for removal of the state court matter initiated by HH to this Court, that HH's state court action be consolidated with this action, and respectfully requests that this Court assume jurisdiction of both cases and take all such further action as deemed just and proper.

Respectfully submitted,

/s/ Matthew S. Teetor
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CERTIFICATE OF SERVICE

I hereby certify that on August 5, 2022, a copy of the foregoing was filed electronically. A copy is also served upon the following via e-mail and/or U.S. Mail:

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